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the accused to show his own good character, another exception has been introduced in actions for slander imputing a crime, where truth has been pleaded. *Harding v. Brooks*, 5 Pick. (Mass.) 244; *Downey v. Dillon*, 52 Ind. 442. *Contra*, *Matthews v. Huntley*, 9 N. H. 146; *Houghtaling v. Kelderhouse*, 2 Barb. (N. Y.) 149 (affirmed 1 N. Y. 530). A somewhat similar exception has been advocated wherever, as in the principal case, the act in issue is itself also a crime. *Hein v. Holdridge*, 78 Minn. 468, 81 N. W. 522. *Contra*, *Continental Ins. Co. v. Jacknichen*, 110 Ind. 59, 10 N. E. 636; *Adams v. Elseffer*, 132 Mich. 100, 92 N. W. 772. In following the analogy of the criminal cases, these two last exceptions overlook the historical fact that the rule in criminal cases is an exception made in favor of the criminal in an attempt to mitigate the severity of the old English criminal law. See *Matthews v. Huntley, supra*, 148. This consideration has no place in a civil suit. On the other hand, the dangers of complicating the issue, prolonging the trial and prejudicing the jury weigh heavily against extending the exceptions to the character rule.

EVIDENCE — OPINION EVIDENCE — EXPERT TESTIMONY: CALCULATION OF PROBABILITY. — The defendant was indicted for having offered in evidence a typewritten document with knowledge of its fraudulent alteration. It was shown that certain peculiarities of the form and alignment of the letters of the alteration corresponded exactly with peculiarities in specimens of writing from the defendant's typewriter. The defendant brought out from testimony given by typewriter experts the many causes and great frequency of occurrence of such peculiarities. In answer to a hypothetical question propounded by the prosecution assuming a certain frequency to the appearance of each defect, an assumption apparently unwarranted by any evidence, an expert mathematician then calculated for the jury the chances of the coincidence of these defects in another machine as being one in four billion. *Held*, that the admission of this mathematician's testimony was reversible error. *People v. Risley*, 214 N. Y. 75, 108 N. E. 200.

For a discussion of mathematically determined probability and its use in evidence, see NOTES, p. 693.

EVIDENCE — OPINION EVIDENCE — HANDWRITING: TESTING LAY WITNESSES BY EXTRANEOUS TRUE AND FORGED SIGNATURES. — Witnesses who were acquainted with the defendant's handwriting from having seen him write or having seen his admitted signatures in the course of business, affirmed the authenticity of a disputed signature. On the cross-examination they were asked to pass upon the authenticity of other signatures, both true and forged. The merit of their answers was displayed by proving the authorship of these signatures in a manner which would have made authentic signatures admissible for the purpose of juxtaposition on the direct examination. *Held*, that such a test is not permissible. *Fourth National Bank of Fayetteville v. McArthur*, 84 S. E. 39 (N. C.).

The interesting problem of impeaching lay witnesses as to handwriting, which the case raises, is discussed in this issue of the REVIEW, p. 699.

EVIDENCE — OPINION EVIDENCE — SELF-DEFENSE: BYSTANDER'S OPINION OF DEFENDANT'S DANGER FROM DECEASED. — At a homicide trial the defendant pleaded self-defense and testified to her belief that the deceased was about to shoot. A witness, after describing the actions of the deceased, was then asked what he thought the deceased was doing with his right hand, and would have answered that "his impression" was that he "was attempting to draw a pistol." *Held*, that it was error to exclude this testimony. *Latham v. State*, 172 S. W. 797 (Tex. Cr. App.).

The lower court excluded the evidence on the ground that it was opinion